

House File 457 - Introduced

HOUSE FILE 457

BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 97)

A BILL FOR

1 An Act providing for the leasing of agricultural land by the
2 department of natural resources to beginning farmers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **456A.38 Lease to beginning farmers**
2 **program.**

3 1. As used in this section, unless the context otherwise
4 requires:

5 *a. "Agricultural land", "authority", "beginning farmer", and*
6 *"farming"* mean the same as defined in section 175.2.

7 *b. "Program"* means the lease to beginning farmers program as
8 provided in this section.

9 2. The department of natural resources shall establish
10 and administer a lease to beginning farmers program. The
11 department shall annually lease agricultural land that it holds
12 or manages as wildlife habitat in each county to beginning
13 farmers seeking to participate in the program. The department
14 shall advertise the program in a manner that encourages wide
15 participation by beginning farmers to lease the agricultural
16 land.

1 *b.* If no beginning farmer seeks to participate in the
2 program, or no beginning farmer is found qualified to
3 participate in the program, the department shall lease
4 the agricultural land under another lease program that it
5 administers pursuant to chapter 461A, including as provided in
6 571 IAC ch. 21.

7 6. The department shall establish terms and conditions in
8 the lease for beginning farmers participating in the program.
9 The lease executed by the department under the program shall at
10 least include all of the following:

11 *a.* The number of acres leased. The department shall not
12 lease more than two hundred forty acres of agricultural land
13 to a beginning farmer for the production of crops. However,
14 this restriction does not apply to agricultural land leased for
15 grazing livestock.

16 *b.* The term of the lease. The term may be based on the
17 use of the agricultural land. A lease shall not be for more
18 than seven years. A beginning farmer shall not sublease the
19 agricultural land.

1 for farming under another lease program administered by the
2 department pursuant to its authority under chapter 461A,
3 including as provided in 571 IAC ch. 21, only after it has made
4 agricultural land available for lease to all beginning farmers
5 seeking to participate in the program.

6 9. The department shall adopt rules necessary to administer
7 this section.

8 EXPLANATION

9 The department of natural resources (DNR) currently
10 administers an agricultural lease program which allows persons
11 to farm such land under a lease term (571 IAC 21). This
12 bill requires DNR to lease agricultural land that it holds
13 or manages as wildlife habitat in each county to beginning
14 farmers.

15 Generally, a beginning farmer is an individual, partnership,
16 family farm corporation, or family farm limited liability
17 company (Code chapter 9H) with a low or moderate net worth that
18 is engaged in farming (Code section 175.2). The agricultural
19 development authority establishes net worth requirements for
20 beginning farmers

1 establishing soil conservation practices. The bill requires
2 that the lease include a number of conditions, including the
3 number of acres leased and the lease term. The department
4 cannot lease more than 240 acres to a beginning farmer for
5 the production of crops, and the lease's term cannot be
6 more than seven years. A beginning farmer cannot sublease
7 the agricultural land. The department may require the
8 establishment of conservation practices or the use of generally
9 accepted farming practices.

10 At the end of a lease term, a beginning farmer who leased
11 agricultural land under the program is eligible to be selected
12 again to lease the same agricultural land. However, the
13 department must provide a preference to an available beginning
14 farmer who has not previously participated in the program.

15 The bill provides that the department is not required to
16 lease agricultural land under the program that it would not
17 otherwise lease for farming. The department is required to
18 adopt rules necessary to administer this program.